

### **Remarks**

Prior to entry of this amendment, claims 1-4, 8, 10-12, 16, 20, 23-28, 32-35, 44, 45, 47, 48, 52 and 67-89 were pending. Claim 67 is amended herein and claims 1-4, 8, 10-12, 16, 23-28, 32-35, 44, 45, 47, 48, and 52 are canceled.

No new matter has been added by these amendments. Applicants reserve the right to pursue canceled or deleted subject matter in a continuing application. Unless specifically stated otherwise, none of the amendments made herein are intended to limit the scope of any claim. Thus, after entry of this amendment, **claims 20 and 67-89 will be pending**. Of these, claims 76-79 and 86-89 are currently withdrawn. Allowance of the pending claims is respectfully requested.

### ***Withdrawal of Objections and Rejections***

Applicants thank Examiner Blanchard for withdrawing the objection of claims 6, 80, and 83. Applicants also thank the Examiner for withdrawing the rejection of claims 23-28, 67-75, and 80-85 under 35 U.S.C. §112, second paragraph and claims 3, 6, 68, and 80 under 35 U.S.C. §112, first paragraph.

### ***Examiner Interview***

Applicants thank Examiner Blanchard for the courtesy of a telephone interview with their representative, Dr. Anne Carlson, on January 30, 2009, during which the rejoinder of method claims was discussed. As discussed with Examiner Blanchard, Applicants expressly request that the withdrawn method claims (claims 76-69 and 86-89, depending from allowed claims 70 and 82) be rejoined and the claims examined, at the latest upon the allowance of any of the product claims.

### ***Claim Rejections Under 35 U.S.C. §112, first paragraph (enablement)***

Claims 1-2, 4, 8, 10-12, 16, 23-28, and 52 continue to be rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement for the reasons of record. Applicants have traversed this rejection. However, solely to advance prosecution in this case, claims 1-2, 4, 8, 10-12, 16, 23-28, and 52 are canceled herein, rendering the rejection of these claims moot.

***Allowable subject matter***

Applicants thank Examiner Blanchard for stating that claims 20, 68-75, and 80-85 are allowed. Applicants also thank the Examiner for stating that claims 3 and 67 are objected to for being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Claim 3 is canceled, rendering this objection moot. Claim 67 is amended herein to include all of the limitations of claim 23, from which it depends. In light of the amendment of claim 67, Applicants respectfully request withdrawal of the objection of claim 67.

***Request for Rejoinder***

The Examiner has required a restriction between product and process claims. The Applicants have elected claims to a specific product. In accordance with M.P.E.P. § 821.04, if applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined. As discussed with Examiner Blanchard on January 30, 2009, Applicants expressly request that the withdrawn method claims (claims 76-69 and 86-89, depending from allowed claims 70 and 82) be rejoined and the claims examined, at the latest upon the allowance of any of the product claims. It is believed that this is in accordance with the current Patent and Trademark Office Guidelines for Restriction Requirements in TC1600.

**Conclusion**

If any matters remain to be addressed before a Notice of Allowance is issued, the Examiner is formally requested to contact the undersigned prior to issuance of the next Office action, in order to arrange a telephonic interview. It is believed that a brief discussion of the merits of the present application may expedite prosecution. This request is being submitted under MPEP §713.01, which indicates that an interview may be arranged in advance by a written request.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 595-5300  
Facsimile: (503) 595-5301

By /Anne Carlson/  
Anne Carlson, Ph.D.  
Registration No. 47,472